



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
Washington, D.C. 20460

OFFICE OF  
GENERAL COUNSEL

**MEMORANDUM**

SUBJECT: Updated Recusal Statement

FROM: Natalia Sorgente  
Deputy General Counsel for Oversight

TO: Jeffrey M. Prieto  
General Counsel

I have previously consulted with the Office of General Counsel/Ethics (OGC/Ethics) and been advised about my ethics obligations. This memorandum formally notifies you of my continuing obligation to recuse myself from participating personally and substantially in certain matters in which I have a financial interest, or a personal or business relationship. I also understand that I have obligations pursuant to Executive Order 13989 and the Biden Ethics Pledge that I signed, as well as my own attorney bar obligations. This recusal statement supersedes my November 14, 2022 recusal statement and removes Berkshire Hathaway since I no longer have a financial interest.

*FINANCIAL CONFLICTS OF INTEREST*

As required by 18 U.S.C. § 208(a), I will not participate personally and substantially in any particular matter in which I know that I have a financial interest directly and predictably affected by the matter, or in which I know that a person whose interests are imputed to me has a financial interest directly and predictably affected by the matter, unless I first obtain a written waiver, pursuant to 18 U.S.C. § 208(b)(1), or qualify for a regulatory exemption, pursuant to 18 U.S.C. § 208(b)(2). I understand that the interests of the following persons are imputed to me: any spouse or minor child of mine; any general partner of a partnership in which I am a limited or general partner; any organization in which I serve as officer, director, trustee, general partner or employee; and any person or organization with which I am negotiating or have an arrangement concerning prospective employment.

I understand that I have an imputed financial interest based on my position as a board member of **Friends of Stead Park**. I understand that I cannot participate personally and substantially in any particular matter that will have a direct and predictable effect on Friends of Stead Park as a specific party or as a member of an affected class, unless I first obtain a written waiver.

## *OBLIGATIONS UNDER EXECUTIVE ORDER 13989*

Pursuant to Section 1, Paragraph 2 of Executive Order 13989, I understand that I am prohibited from participating in any particular matter involving specific parties in which my former employer, **Baker Botts LLP**, is a party or represents a party. Under the terms of the Ethics Pledge, this recusal also applies to the following clients identified in consultation with OGC/Ethics that have or may have environmental interests that could potentially arise with respect to my duties here at EPA.<sup>1</sup> My recusal with these entities lasts for two years from the date that I joined federal service, or until after September 25, 2024.

<b>FORMER CLIENT<sup>2</sup></b>
<b>CCM TCEP, LLC</b>
<b>ConocoPhillips Alaska, Inc.</b>
<b>Laredo Petroleum, Inc.</b>
<b>Penn Mutual Life Insurance Company</b>
<b>Sempra Energy</b>
<b>Steven Solow, Court Appointed Monitor for Carnival Corporation</b>
<b>Summit Power Group, LLC</b>

I have been advised by OGC/Ethics that, for the purposes of this pledge obligation, the term “particular matters involving specific parties” is broadened to include any meetings or other communication relating to the performance of my official duties, unless the communication applies to a particular matter of general applicability and participation in the meeting or other event is open to all interested parties. I am further advised that the term “open to all interested parties” means that the meeting should include a multiplicity of parties. If, for example, there is “a meeting with five or more stakeholders regarding a given policy or piece of legislation, [then I] could attend such a meeting even if one of the stakeholders is a former employer or former client.”<sup>3</sup> Should a question arise as to whether a specific forum qualifies as “open to all interested parties,” then I will consult with OGC/Ethics.

## *ATTORNEY BAR OBLIGATIONS*

In addition to the pledge restrictions involving my former employer and former clients, I understand that I am bound by my bar rules and am obliged to protect the confidences of my former clients. I understand that I am restricted from switching sides in litigation in which I participated in or provided counsel or that is the same as or substantially related to the same specific party matter in which I previously participated personally and substantially, unless my bar provides for and I first obtain informed consent and coordinate with OGC/Ethics.

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<sup>1</sup> For any former client that is not listed, I understand that I am personally obliged not to participate in specific party matters involving that former client for the duration of my ethics obligations.

<sup>2</sup> Three confidential clients are not listed. These clients are subject to a non-public investigation or have a written confidentiality agreement expressly prohibiting disclosure.

<sup>3</sup> See Office of Government Ethics (OGE) Advisory DO-09-011 (3/26/09), which applies to Exec. Order 13989 pursuant to OGE Legal Advisories LA-21-03 (1/22/21) and LA-21-05 (2/23/21).

## *OBLIGATIONS UNDER THE IMPARTIALITY PROVISIONS*

Pursuant to the federal ethics rules, I understand that I have a covered relationship with my spouse and my spouse's employer, the law firm **Wilmer Cutler Pickering Hale and Dorr LLP (WilmerHale)**. See 5 C.F.R. § 2635.502(b)(1)(ii) and (iii). I will recuse from participating in specific party matters in which my spouse or WilmerHale is a party or represents a party, unless I am otherwise authorized by OGC/Ethics to participate, pursuant to 5 C.F.R. § 2635.502(d).

## *DIRECTIVE AND CONCLUSION*

To avoid my participating in any of the matters from which I am recused, please refer those matters to the attention of **Zach Pilchen, Senior Legal Counsel**, without my knowledge or involvement. Therefore, I should not be sent or copied on substantive emails, attend meetings, or participate in any discussions, make recommendations, or otherwise make decisions with regard to a particular matter covered by my recusal. Official actions on such matters should be made without my recommendation, knowledge, or involvement. Any inquiries regarding the extent of my recusals should be directed to OGC/Ethics.

In the event that my circumstances change, including changes to my financial interests, my personal or business relationships, or my EPA duties, then I will consult with OGC/Ethics and update my recusal statement accordingly.

cc: Dimple Chaudhary, Principal Deputy General Counsel  
Jim Payne, Deputy General Counsel for Environmental Media and Regional Law Offices  
Elise Packard, Deputy General Counsel for Operations  
Susannah Weaver, Deputy General Counsel for Nationwide Resource Protection Programs  
Daniel Conrad, Associate Deputy General Counsel  
Zach Pilchen, Senior Legal Counsel  
OGC Associate General Counsel and Directors  
Regional Counsels